AO 455(Rev. 5/85) Waiver of Indictment

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JUN 13 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

## UNITED STATES DISTRICT COURT

## SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

GENARO SMITH-BALTIHER

WAIVER OF INDICTMENT

CASE NUMBER: 07CR3161-LAB

I, GENARO SMITH-BALTIHER, the above named defendant, who is accused of Title 18, U.S.C., Sec. 1001 - False Statement to a Federal Officer (Felony), being advised of the nature of the charge, the proposed information, and of my rights, hereby waive in open court on ~~April 8, 2005~~ June 13, 2008 prosecution by indictment and consent that the proceeding may be by information rather than by indictment.

Gene Smith
GENARO SMITH-BALTIHER
Defendant

JMcMullen
JOSEPH MCMULLEN
Counsel for Defendant

Before Larry A Burns
JUDICIAL OFFICER